



ATTORNEY DOCKET NO. ALBA.001.01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alex Battaglia, M.D. *et al*

Serial No.: 10/053,313

Filed: January 18, 2002

For: Gum Resin as a Carrier for Topical
Application of Pharmacologically Active
Agents

) Examiner: Not yet assigned

) Art Unit: Not yet assigned

)

)

) SECOND INFORMATION

) DISCLOSURE STATEMENT

TRANSMITTAL

BOX DD

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- [X] A Second Information Disclosure Statement.
- [X] Form PTO-1449.
- [X] Copies of references D2-D7 as listed on Form PTO-1449 attached hereto, and Reference D1 identified on Form PTO-1449 submitted with the IDS filed March 29, 2002.
- [X] Return postcard (postage prepaid).

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EV214276893US

Date of Deposit: September 19 2002

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to BOX DD, Commissioner for Patents, Washington, D.C., 20231.

Karen Patchen
(Signature)

Karen Patchen
(Printed Name)

1. ☒ This Information Disclosure Statement is filed before the later of:
 - ☐ three months from the filing date of this national application;
 - ☐ three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
 - ☒ the mailing date of a first office action on the merits.

☒ In accordance with 37 C.F.R. § 1.97(b), no fee is required.
2. ☐ This Information Disclosure Statement is filed after the events noted in paragraph 2, but before either:
 - (1) a final action under 37 C.F.R. § 1.113; or
 - (2) a Notice of Allowance under 37 C.F.R. § 1.311.

☐ In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

 - ☐ a fee under 37 C.F.R. § 1.17(p) in the amount of \$240; or
 - ☐ a certification as stated below.
3. ☐ This Information Disclosure statement is filed before the payment of the issue fee, but after either:
 - (1) a final action under 37 C.F.R. § 1.113; or
 - (2) a Notice of Allowance under 37 C.F.R. § 1.311.

☐ In accordance with 37 C.F.R. § 1.97(d) also enclosed is:

 - (1) A certification, as stated below;
 - (2) A Petition requesting consideration of the Information Disclosure Statement; and
 - (3) The petition fee set forth in 37 C.F.R. § 1.17(i)(1) in the amount of \$130.

Certification

The undersigned also states:

- ☐ Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

TOTAL FEES: \$

- ☐ A check including the amount of the above-indicated TOTAL FEES is attached.
- ☐ Please charge Deposit Account No. 18-0020 in the amount of: \$ _____.
- ☐ A check in the amount of \$ _____ is attached.
- ☒ No fee is required.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☒ A duplicate copy of this sheet is attached for accounting purposes.

PATENT

ATTORNEY DOCKET NO. ALBA.001.01US

Respectfully submitted,

Dated: September 18, 2002



Barbara Rae-Venter, Ph.D.
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SEP 24 2002
TECH CENTER 1600/2900

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Filed: January 18, 2002

For: Gum Resin as a Carrier for Topical Application
of Pharmacologically Active Agents

) **SECOND INFORMATION**
DISCLOSURE STATEMENT

BOX DD

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Applicant makes no representation that a complete search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

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K Patchen
(Signature)

Karen Patchen
(Printed Name)

PATENT

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The subject application is believed patentable over any of the above references.

Respectfully submitted,

Dated: September 18, 2002



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